

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 6560**

**BILL NUMBER:** SB 130

**NOTE PREPARED:** Dec 31, 2011

**BILL AMENDED:**

**SUBJECT:** Environmental Board Consolidation.

**FIRST AUTHOR:** Sen. Gard

**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED:** ☒ **GENERAL**  
☒ **DEDICATED**  
☒ **FEDERAL**

**IMPACT:** State

**Summary of Legislation:** This bill repeals certain statutes creating the following boards: (1) Air Pollution Control Board. (2) Water Pollution Control Board. (3) Financial Assurance Board. It defines "board" to exclude the repealed boards.

The bill establishes the Environmental Rules Board. It requires the Environmental Rules Board to use rulemaking procedures to adopt rules. The bill transfers to the board duties of the Department of Environmental Management (IDEM) to adopt certain rules related to: (1) treatment plant or water distribution systems certification programs; and (2) the Waste Tire Management Fund. It also transfers certain powers and duties of the repealed boards to the Environmental Rules Board.

**Effective Date:** July 1, 2012.

**Explanation of State Expenditures:** *Consolidation of Boards into the Environmental Rules Board:* Consolidation of these four boards into the Environmental Rules Board could result in a reduction in expenses for IDEM. The extent of the savings will depend upon the number of meetings held and the amount of expenses (per diem and travel reimbursement) claimed by the members of the new board.

The Environmental Rules Board created by this bill will be composed of 17 members. The ex officio members will be the Commissioner of IDEM, the Commissioner of the State Department of Health, the Director of the Department of Natural Resources, the Lieutenant Governor, and the Secretary of Commerce. Twelve members will be appointed by the Governor representing various sectors. The members of the board (excluding the ex officio members) are entitled to salary per diem and reimbursement for traveling expenses. The bill transfers all powers, duties, and liabilities from the abolished boards to the new Environmental Rules

Board established by the bill.

*Background Information - Air Pollution Control Board:* The Air Pollution Control Board has 12 members: 4 ex officio members, and 8 members representing various constituencies appointed by the Governor. Statute requires the board to meet six times. During FY 2011, the board had expenses of about \$5,000 paid from the Air EPA Federal Grant Fund.

*Water Pollution Control Board:* The Water Pollution Control Board has 12 members: 4 ex officio members, and 8 members representing various constituencies appointed by the Governor. The board usually holds six meetings a year. During FY 2011, the board had expenses of about \$2,000 paid from the Water EPA Federal Grant Fund.

*Underground Storage Tank Financial Assurance Board:* The Underground Storage Tank Financial Assurance Board was established to adopt rules to regulate payment of claims from the Excess Liability Trust Fund. There are 16 board members, and the board usually meets twice a year. During FY 2011, the board had expenses of about \$2,000 paid from the Excess Liability Trust Fund.

*Solid Waste Management Board:* The Solid Waste Management Board consists of 14 members: 10 members appointed by the Governor to represent specific constituencies and 4 ex officio members representing other state agencies involved in environmental issues. Statute requires the board to meet six times per year. During FY 2011, the board had expenses of about \$1,400 paid from the Solid Waste Management Fund.

**Explanation of State Revenues:**

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:**

**State Agencies Affected:** IDEM.

**Local Agencies Affected:**

**Information Sources:** IDEM website; Brad Baughn, IDEM, 317-234-3386.

**Fiscal Analyst:** Jessica Harmon, 317-232-9854.